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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/028,359	12/28/2001	Kohshi Yoshimura	000803A	4346
23850	7590	11/10/2004		
ARMSTRONG, KRATZ, QUINTOS, HANSON & BROOKS, LLP 1725 K STREET, NW SUITE 1000 WASHINGTON, DC 20006				
EXAMINER MUTSCHLER, BRIAN L				
ART UNIT		PAPER NUMBER		
1753				

DATE MAILED: 11/10/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/028,359

Applicant(s)

YOSHIMURA ET AL.

Examiner

Brian L. Mutschler

Art Unit

1753

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 October 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 7-9 and 11-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 7-9 and 12-17 is/are allowed.
- 6) ☒ Claim(s) 11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

DETAILED ACTION

Comments

1. Applicant's cancellation of claim 11 and the addition of claims 14-17 in the response submitted October 12, 2004, is acknowledged.
2. Applicant's amendment has overcome the rejections of claims 7-9, 12, and 13 set forth in the Office action mailed May 17, 2004. The prior art of record does not teach a process using spacers between adjacent workpieces to simultaneously treat a plurality of workpieces.
3. The rejection of claims 11-13 under 35 U.S.C. 112, second paragraph, has been overcome by Applicant's amendment.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claim 10 is rejected under 35 U.S.C. 102(b) as being anticipated by WO99/23675, herein referred to as WO '675. (EP 1 028 437 A1 ("EP '437" is an English language equivalent of WO '675, and citations will be made to both references.)

WO '675 discloses a ring-shaped bonded magnet having a plated film on the entire surface thereof (WO '675 page 19 = EP '437 paragraphs [0085] to [0088]). The film thickness on the inner diameter side of the magnet is 22 μm and the film thickness

on the outer diameter side of the magnet is 23 μm , a variation in thickness of less than 5% (WO '675 page 19 and Table 6 = EP '437 paragraph [0087] and Table 6). The thicknesses have dimensional precision of $\pm 1 \mu\text{m}$ (WO '675 Table 6 = EP '437 Table 6).

Since WO '675 teaches all of the limitations recited in the instant claims, the reference is deemed to be anticipatory.

Response to Arguments

6. Applicant's arguments filed October 12, 2004, have been fully considered but they are not persuasive.
7. Regarding the rejection of claim 10, Applicant argues that WO '675 does not recite all of the limitations recited in the claim. Specifically, Applicant points to the limitation requiring the film thickness of a plated film formed on the outer surface to be equal to or less than the film thickness of a plated film formed on the inner surface (see pages 9-10 of Applicant's response). This argument is not persuasive because WO '675 teaches a thickness of 22 $\mu\text{m} \pm 1 \mu\text{m}$, and provides a specific example of an outer film thickness of 23 μm and an inner film thickness of 22 μm (see Table 6). Based on the precision of the technique, which is $\pm 1 \mu\text{m}$, the outer film thickness is substantially equal to the inner film thickness. Therefore, the magnet of WO '675 anticipates the claimed magnet.

Allowable Subject Matter

8. Claims 7-9 and 12-17 are allowed.
9. Claims 7-9 and 12-17 are distinguished over the prior art of record because they provide a process using a spacer that sets adjacent works a distance from each other and treating a plurality of works simultaneously. JP 10-294209 discloses processing a plurality of ring-shaped workpieces simultaneously, but no spacer is disclosed. One skilled in the art would not have been motivated to add a spacer to the process of JP '209 because a spacer would affect the current density in the vicinity of the spacer, which would be expected to alter the plating of the workpiece. Since the effects of the spacer are unknown, a skilled artisan would have no expectations of additional benefits from using spacers.

Conclusion

10. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

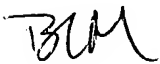
A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

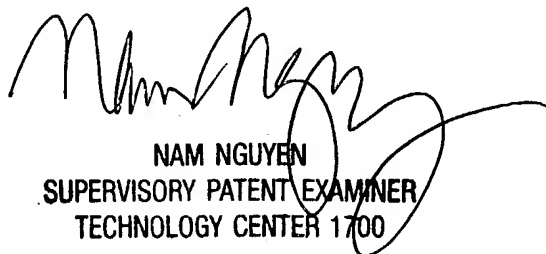
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian L. Mutschler whose telephone number is (571) 272-1341. The examiner can normally be reached on Monday-Friday from 7:30am to 4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nam Nguyen can be reached on (571) 272-1342. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



BLM
November 6, 2004



NAM NGUYEN
SUPERVISORY PATENT EXAMINER
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